

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA,                     )  
                    Plaintiff,                         )  
   )  
v.   ) Case No. 1:17-cr-00224-AT-CMS  
   )  
ALLEN J. PENDERGRASS,                     )  
                    Defendant.                     )  
\_\_\_\_\_) )

**DEFENDANT’S MOTION FOR EXTENSION OF TIME TO FILE  
MOTIONS AND TO CONTINUE THE PRETRIAL CONFERENCE**

COMES NOW ALLEN J. PENDERGRASS, by and through his counsel of record, and hereby files this motion for extension of time to file pretrial motions and respectfully show as follows:

1. Defendant’s pretrial motions are currently due on August 1, 2019. His pretrial conference is set for August 7, 2019.
2. At the previous pre-trial conference/status conference, counsel for Mr. Pendergrass notified the Court that she was waiting for a hard drive provided by the government to be converted into readable files. Counsel retained Jim Persinger to convert the files. Mr. Persinger delivered the files to counsel on Tuesday, July 30<sup>th</sup>.
3. Counsel needs additional time to review the files on the hard drive (which contains the entire contents of 3 separate computer hard drives seized by the

government from Mr. Pendergrass in the initial search of his office). It is counsel's understanding that many of the files are financial documents that will require careful review with Mr. Pendergrass.

4. Therefore, Defendant requests a 30-day continuance of the pretrial motions deadline.
5. For all of the same reasons, counsel requests that the pretrial conference be continued to a date and time convenient to the Court.
6. Counsel consulted with Assistant United States Attorney Jeff Brown, who has no objection to these requests.
8. Counsel requests that the time of the extension to file motions and complete the pretrial conference be excluded under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7).

Respectfully submitted this 31<sup>st</sup> of July 2019.

*s/Saraliene S. Durrett*  
SARALIENE S. DURRETT  
1800 Peachtree Street, NE  
Suite 300  
Atlanta, GA 30309  
(404) 433-0855

**CERTIFICATE OF SERVICE**

This is to certify that the undersigned has this date electronically filed the foregoing motion to continue with the Clerk of the Court using the CM/ECF system which will automatically send email notification of such filing to the following attorney(s) of record:

All Defense Counsel

All AUSAs of record

Respectfully submitted this 31<sup>st</sup> day of July 2019.

Respectfully submitted,

*s/Saraliene S. Durrett*  
SARALIENE S. DURRETT  
1800 Peachtree Street, NE  
Suite 300  
Atlanta, GA 30309  
(404) 433-0855  
ssd@defendingatl.com